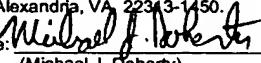


AMENDMENT TRANSMITTAL LETTER				Docket No. SPINE 3.0-447 CONT	
Application No. 10/771,597-Conf. #3441	Filing Date February 4, 2004	Examiner M. Hoffman		Art Unit 3733	
Applicant(s): James D. Ralph, Stephen Tatar, and Thomas J. Errico					
Invention: INSERTION TOOL FOR USE WITH INTERVERTEBRAL SPACERS					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
Total Claims	Claims Remaining After Amendment 9	Highest Number Previously Paid - 20 =	Number Extra Claims Present 0	Rate x 50.00	0.00
Independent Claims	2	- 3 =	0	x 200.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 0.00					
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity <input checked="" type="checkbox"/> No additional fee is required for this amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
<u>Michael J. Doherty</u> Michael J. Doherty Attorney/Agent Reg. No.: 40,592					
Dated: January 19, 2007					
LERNER, DAVID, LITTBENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6337					
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Dated: January 19, 2007 Signature: <u>Michael J. Doherty</u> (Michael J. Doherty)					



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated January 19, 2007

Signature: 
(Michael J. Doherty)

Docket No.: SPINE 3.0-447 CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	:
Ralph et al.	:
Application No.: 10/771,597	: Group Art Unit: 3733
Filed: February 4, 2004	: Examiner: Hoffman, M.
For: INSERTION TOOL FOR USE WITH INTERVERTEBRAL SPACERS	:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Dear Sir:

Prior to further examination of the present application, please amend the above-identified application as follows.